

Remarks

This is in response to the Office Action dated June 5, 2006. The undersigned hereby expresses his appreciation to the examiner for sending the June 5, 2006 Office Action to replace the previous Office Action mailed on May 4, 2006.

Per the above amendment, claims 1, 22, 13, 16 and 18 have been amended, claim 10 canceled and new claims 19 and 20 added. Please note that claim 19 corresponds to original claim 7 which has incorporated therein all of the limitations of original claim 1 and claim 20 corresponds to original claim 17 having incorporated therein the limitations of original claim 16. As claims 7 and 17 were deemed by the examiner to contain allowable subject matter, it is respectfully submitted that claims 19 and 20 should be formally allowed.

Independent claims 1 and 16 each have been amended to recite a rigid reinforcement member that has a frame having "a plurality of radially-extending arms". Independent method claim 18 likewise recites a frame component that has "a plurality of radially-extending arms".

Claims 1-6, 8 and 10-16 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Bierman (US 2,444,417) in view of Hicks (WO 03/016018); and claim 18 has been rejected under 35 U.S.C. 102(b) as being anticipated by Fecteau et al. (US 6,536,435).

It is respectfully submitted that Hicks is not a valid reference against the instant invention insofar as the '018 reference was published on February 27, 2003 while the instant application claims priority from a UK application that was filed on January 15, 2003. As for Fecteau, it should be noted that its publication date of March 25, 2003 is not more than year before the U.S. filing date of January 2, 2004 of the instant application. Therefore, at best Fecteau should be a 102(a) rejection.

The claimed invention, as set forth in the amended claims, requires a reinforcement member in the form of a frame with a plurality of radially-extending arms.

No such arrangement is described in the validly cited references.

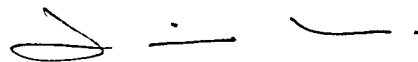
Bierman '417 describes a mask having two separable parts that are made separately and subsequently attached together (column 2, lines 29-33). It is clear, therefore, that the Bierman mask is not made of a two shot molding process as required by the claims of the present invention. Also, the Bierman mask does not have a frame like reinforcement member with radial arms, as required by the amended claims of the present application.

Fecteau describes a respirator that has a face piece 22 that may be integrally formed with a yolk 14. There is nothing in Fecteau that suggests, let alone describes, a frame-like reinforcement member with radial arms.

The present invention, by providing a frame-like support, enables the body of the mask more readily to conform to the anatomy of the face, where there are considerable variations from person to person. The Fecteau respirator is not the same as a mask.

In view of the above, applicants respectfully submit that the instant invention is patentably distinguishable over the prior art. Accordingly, the examiner is respectfully requested to reconsider the application and pass the case to issue at an early date.

Respectfully submitted,



Louis Woo, Reg. No. 31,730
Law Offices of Louis Woo
717 North Fayette Street
Alexandria, Virginia 22314
Phone: (703) 299-4090

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